

GOVERNMENT OF ANDHR APRADESH
A B S T R A C T

Andhra Pradesh State Judicial Service - Junior Civil Judges - Smt.G.Kanthimathi, formerly Junior Civil Judge, Pulivendula Kadapa District, now Special Judicial Magistrate of 1st Class Excise Court, Nellore - Imposition of penalty of Removal from service against the officer on the recommendation of High Court of Andhra Pradesh - Orders - Issued.

LAW (LA&J-HOME-COURTS-C) DEPARTMENT

G.O.Ms.No. 136

**Dated:15-12-2012,
Read:**

From the Registrar (Vigilance), Andhra Pradesh High Court,
Hyderabad, D.O.Lr.No.192/2006- VIGILANCE CELL,
dated:14-03-2012.

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ORDER :

Whereas in the letter read above, the Registrar (Vigilance), High Court of Andhra Pradesh, Hyderabad, has stated that the High Court having considered the complaint petitions against Smt. G.Kanthimathi, formerly Junior Civil Judge, Pulivendula, Kadapa District, now Special Judicial Magistrate of 1st Class. Excise Court, Nellore, and report of the District Judge, Kadapa, and the Registrar (Vigilance), High Court of Andhra Pradesh, and the explanation of the Officer, initiated disciplinary proceedings against the Officer. Subsequently four articles of charges were framed and communicated to the officer, calling for her written statement. The articles of Charges framed against the officer are as follows:

Articles of Charge :

Charge No.1: That you Smt.G.Kanthimathi, Junior Civil Judge, while working as Junior Civil Judge, Pulivendula, Kadapa District, on receipt of requisition from the Area Hospital, Andhra Pradesh Vydyha Vidhan Parishad, Pulivendula on 18.10.2005 at about 1.00 p.m. you proceeded to the said hospital along with your attender viz., Sri M.Jayachandra, and while recording the dying declaration of Sri Gajjela Gangi Reddy, R/o Chintala, Jutur Village of Vemula Mandal, who was injured seriously due to gun shot, the said injured person died at 2.30 PM still you obtained his left thumb impression after his death and later after arrival of your chamber in the court of Junior Civil Judge, Pulivendula, and after having a meeting with Sri M.Obul Reddy, Advocate and Sri Erra Gangi Reddy, a leader of Congress Party, Pulivendula, you changed the version in the dying declaration of Sri Gajjela Gangi Reddy to suit certain persons who belongs to one political party for extraneous consideration, that thus you indulged in corrupt activities, which act of yours if proved or established would amount to grave misconduct, Judicial dishonesty and unbecoming of a Judicial Officer within the meaning of Rule 3 of A.P. Civil Services (conduct) Rules, 1964.

Charge No.2: That you Smt.G.Kanthimathi, Junior Civil Judge, while working as Junior Civil Judge, Pulivendula, Kadapa District, recruited the dying declaration of Sri Gajjela Gangi Reddy, r/o. Chintala Jutur Village, Vemula Mandal, who was admitted in Area Hospital, Andhra Pradesh Vydyha Vidhan Parishad, Pulivendula, due to gun shot injuries on 18.10.2005 and while concluding the dying declaration you made an endorsement on the said dying declaration which is as follows:

"At the time of recording proceedings no one was present, except the patient, my attender, the duty doctor and the duty nurse. Proceedings concluded at 2.30 P.M."

However, contrary to the above endorsement you obtained the signatures of two persons, viz., Sri G.Venkata Narayana Reddy and Sri G.Venkatrami Reddy brothers of the deceased Sri G.Gangi Reddy, below the Left Thumb Impression of the deceased on the said dying declaration which is unknown and foreign procedure followed by you while recording the dying declaration of the deceased, thus you did not act diligently while recording the

Contd,

dying declaration of the deceased which act of yours if proved or established would amount to grave misconduct, negligence in discharging your duties and unbecoming of a Judicial Officer within the meaning of Rule 3 of A.P. Civil Services (Conduct) Rules, 1964.

Charge No.3:

(a) That you Smt.G.Kanthimathi, Junior Civil Judge, while working as Junior Civil Judge, Pulivendula, Kadapa District, used to permit Sri M.Obul Reddy, Advocate, to meet you in your chambers frequently for the reasons best known to you, and the said Advocate also used to have conversation with you by telephone to the telephone numbers provided to your office and residence (226174 and 226356 respectively) from his mobile phone No.9440210868, (Details of phone calls shown in Annexure-A)

(b) That you also used to contact frequently through your office phone No.226174 to the mobile phone No.9440210868 relating to Sri M.Obul Reddy, Advocate. (Details of phone calls shown in Annexure-A)

(c) That you used to contact telephonically Sri M.Humain Saheb, Junior Assistant, Junior Civil Judge's Court, Pulivendula, frequently through your residential telephone No.226356 and he used to contact you with cell No.9440161686, as he used to act as a mediation between you and Sri M.Obul Reddy, Advocate and used to settle the cases, pending before you (Details of calls phone calls shown in Annexure-B)

That thus you developed contacts with Sri M.Obul Reddy, Advocate and allowed him to meet personally, and contact by phone for doing favour to him in the cases filed by him for extraneous consideration which acts of yours, if proved or established would amounts to grave misconduct judicial dishonesty and unbecoming of Judicial Officer within the meaning of Rule 3 of A.P. Civil Service (Conduct) Rules, 1964.

Charge No.4: That you Smt.G.Kanthimathi, Junior Civil judge, while working as Junior Civil Judge, Pulivendula, Kadapa District, hatched a plan to get a false insurance claim to your damaged Car bearing No. AP03 3006, with the collusion of Police Constable of Pulivendula Police station, and took the vehicle to by pass road, Pulivendula, and took photographs of the car as if, your car dashed to a tree and claimed damages from the insurance company basing on the said photos, that thus you fraudulently drawn damages from the insurance company and stooped to a level which a Judicial Officer ought not have to done, which act of yours if proved or established would amount to grave misconduct, the unbecoming of Judicial Officer within the meaning of Rule 3 of Andhra Pradesh Civil Service (Conduct) Rules, 1964.

2. And whereas, on considering the written statement of the Officer, a regular departmental enquiry has been ordered against the officer by entrusting the enquiry to the District Judge (Enquiries), High Court of Andhra Pradesh, Hyderabad, to conduct the enquiry in to the charges framed against the officer. The District Judge (Enquiries) after conducting the enquiry, submitted his report holding that the charges II and IV are proved and charges I & III are not proved;

3. And whereas, after perusing the written submissions by the charged officer on supplying the enquiry report to her final show cause notice has been issued to the charged officer and she has submitted her explanation;

4. And whereas, the High Court having considered the entire record of enquiry, the explanation of charged officer and the contentions raised by her, rejected her plea and accepted the findings of the Enquiry Officer;

5. And whereas, keeping in view of the gravity of the charges held proved against the charged officer in the enquiry report, the High Court of Andhra Pradesh decided to recommend to His Excellency the Governor of Andhra Pradesh to impose a penalty of "Removal" from service against Smt.G.Kanthimathi, formerly Junior Civil Judge, Pulivendula Kadapa District, now Special Judicial Magistrate of 1st Class Excise Court, Nellore and accordingly the Registrar (Vigilance), requested the Government to cause issuance of necessary orders in the matter;

6. Now therefore, the Government after careful examination of the material and considering the recommendation of the High Court of Andhra Pradesh and in exercise of the powers conferred by rule 9 read with sub-rule (1) of rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1991, hereby decided to impose the penalty of "**Removal from Service**" on **Smt.G.Kanthimathi**, formerly Junior Civil Judge, Pulivendula Kadapa District, now Special Judicial Magistrate of 1st Class Excise Court, Nellore.

7. Accordingly, the following notification will be published in an Extraordinary Issue of Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred under clause (IX) of rule 9 read with sub-rule (1) of rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, the Governor of Andhra Pradesh on the recommendation of the High Court of Andhra Pradesh hereby impose the penalty of "**Removal from Service**" on Smt.G.Kanthimathi, formerly Junior Civil Judge, Pulivendula Kadapa District, now Special Judicial Magistrate of 1st Class Excise Court, Nellore, with immediate effect.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

R.DAMODAR,
SECRETARY TO GOVERNMENT,
LEGISLATIVE AFFAIRS & JUSTICE(FAC).

To

The Registrar (Vigilance), High Court of A.P., Hyderabad.
The Individual through the Registrar (Vigilance), A.P.High Court, Hyderabad.
The Commissioner Printing, Stationery and Stores Purchases
(Publication wing) 2 copies for publication in the A.P., Gazette.
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
The Accountant General of Andhra Pradesh , Hyderabad.
The Director of Treasures and Accounts, Hyderabad.
The District Treasury Officer, SPSR Nellore District.

Copy to:

The P.S. to Principal Secretary to Chief Minister.
The P.S. to Minister (Law & Courts).
The P.S. to Secretary (LA&J) Department.
The Law (E) Department.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER.